

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA

)

CRIMINAL NO. 102888

VERSUS

)

LEE BOYD MALVO a/k/a
John Lee Malvo

)

INDICTMENT - CAPITAL MURDER (2
Counts) and USING A FIREARM IN THE
COMMISSION OF A FELONY

On January 28, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, Michael Arif, Counsel for the Defendant, and Todd Petit, Guardian Ad Litem for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

This case came before this Court today for hearing and to set a trial date.

The Court, after hearing argument, **ORDERED** that this case be set on November 10, 2003, at 10:00 a.m., for trial with a jury.

Counsel for the Defendant advised the Court that the Defendant waives his right to a speedy trial in this case.

The Court, after hearing argument, **ORDERED** that the appointment of Todd Petit as Guardian Ad Litem for the Defendant shall terminate as of February 18, 2003, the Defendant's eighteenth (18th) birthday.

The Court set March 3, 2003 at 10:00 a.m. as a hearing date for motions and **ORDERED** that the Defendant file any motions to be entertained on that date by February 14, 2003. The Commonwealth shall respond by February 24, 2003. Any motions by news organizations related to the issue of cameras in the courtroom will also be heard on March 3, 2003, and should be filed by February 14, 2003. The Commonwealth and the Defendant shall reply by February 24, 2003 to any such motions.

The Defendant was remanded to the custody of the Sheriff.

Entered on January 29, 2003.

JUDGE JANE MARUM ROUSH